

# **Exhibit 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

\* \* \* \* \* C.A. NO. 00-105L  
EFRAT UNGAR, et al \*  
VS. \* SEPTEMBER 21, 2010  
\* 2:03 P.M.  
THE PALESTINIAN \*  
LIBERATION ORGANIZATION, \*  
et al \* PROVIDENCE, RI  
\* \* \* \* \*

BEFORE THE HONORABLE RONALD R. LAGUEUX  
SENIOR JUDGE  
(Motion to Intervene)

APPEARANCES:

FOR THE PLAINTIFFS: DAVID J. STRACHMAN, ESQ.  
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2 PA and PLO:

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4 FOR THE INTERVENOR:

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9 Court Reporter:

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11 Proceeding reported and produced by  
12 computer-aided stenography  
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1 against the Ungars to effectively attempt to undo and  
2 to redo, rather, what they've been unable to to  
3 successfully convince a series of judges and courts in  
4 New York.

5 And lastly, Your Honor, if this Court were to  
6 grant this motion and instead of the next four months  
7 litigating and doing discovery on the motion to vacate,  
8 we would be here on this parallel proceeding because  
9 all of the issues that were represented to this Court  
10 as facts were represented not by employees of the  
11 Insurance and Pension Fund, not by an affidavit of a  
12 staffer of the Insurance and Pension Fund, but, rather,  
13 by counsel, and the discovery would be required here to  
14 ferret out those issues.

15 We already started some of that discovery in the  
16 Eastern District of New York to try to ferret out some  
17 of those issues.

18 I believe that's all, Your Honor. Thank you.

19 THE COURT: The injunction I issued is perfectly  
20 clear. It was to prevent the PA and the PLO from  
21 alienating funds. And it only applies to the PA and  
22 the PLO, despite the fact that the Movant here  
23 attempting to intervene hasn't filed a complaint and is  
24 setting forth the issues that they're trying to raise.

25 It's clear what the issue is. The issue is

1       whether the Pension Fund is under the aegis of the PA  
2       and subject to the injunction. That's an issue that  
3       should be decided in the Courts in New York, and  
4       attempts have been made to move forward in the Courts  
5       of New York.

6               If I take the case, if I allow the intervention,  
7       there could be inconsistent results, and it's not my  
8       place to make that determination. And, obviously, the  
9       Supreme Court Judge in New York who heard this matter  
10      didn't grant summary judgment because there were  
11      factual issues to decide, and that's what should happen  
12      now is any discovery that's necessary be taken in  
13      New York and the matter tried to make a determination  
14      of this issue.

15             It's a key issue, and it's not one that I'm  
16      going to interject in this case. I have enough to  
17      decide in this case right now, which is whether or not  
18      the motion to vacate the previously entered judgment  
19      should be granted or denied.

20             I've already denied it once, and the Court of  
21      Appeals have reversed me and asked me to consider other  
22      factors other than the obvious action of Arafat not to  
23      recognize the jurisdiction of this Court.

24             So, if I grant the motion to intervene, I will  
25      have to have a factual hearing to determine the facts,

1 which is whether or not the Pension Fund is a separate  
2 entity and unconnected with the PA, and there will have  
3 to be a lot of discovery. I'll be duplicating things  
4 that have already happened in New York, and that's a  
5 waste of time, a waste of judicial time. I have enough  
6 to deal with in this case right now.


7 So, for all those reasons, the motion of the  
8 Pension Fund to intervene in this case is denied. I  
9 will enter a written order to that effect.

10 We'll take a recess.

11 (Court was concluded at 2:36 p.m.)

12  
13 C E R T I F I C A T I O N  
14

15  
16 I, Debra D. Lajoie, RPR-FCRR-CRI-RMR, do  
17 hereby certify that the foregoing pages are a true and  
18 accurate transcription of my stenographic notes in the  
19 above-entitled case.  
20

21  
22   
23 /s/ Debra D. Lajoie  
24

25 9/28/10